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Security Council

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Statement by the President of the Security Council

At the 4639th meeting of the Security Council, held on 31 October 2002, in continuation of its consideration of the item entitled "Small arms" at its 4623rd meeting on 11 October 2002, the President of the Security Council made the following statement on behalf of the Council:

"The Security Council reaffirms the Statement of its President of 24 September 1999 (S/PRST/1999/28) and its resolution 1209 (1998) of 19 November 1998, the statement of its President of 31 August 2001 (S/PRST/2001/21), takes note with appreciation of the Report of the Secretary-General entitled Small Arms (S/2002/1053) of 20 September 2002, and welcomes all initiatives taken by Member States following the adoption of the Programme of Action by the July 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All its Aspects. The Council expresses grave concern at the harmful impact of small arms and light weapons on civilians in situations of armed conflict, particularly on vulnerable groups such as women and children, and recalls in this regard its resolutions 1296 (2000) of 19 April 2000, 1314 (2000) of 11 August 2000, 1379 (2001) of 20 November 2001, and the statement of its President of 7 May 2002 (S/PRST/2002/12).

"The Security Council encourages all Member States to continue to take all measures to fully implement at the national, regional and international levels the recommendations contained in the Programme of Action. The Council recognizes its responsibility to examine ways and means in which it can further contribute to dealing with the question of illicit trade in small arms and light weapons in situations under its consideration.

"The Security Council reaffirms the inherent right of individual or collective self-defence in accordance with Article 51 of the Charter of the United Nations and, subject to the Charter, the right of each State to import, produce and retain small arms and light weapons for its self-defence and security needs. Bearing in mind the considerable volume of licit trade in small arms and light weapons, the Council encourages States to adopt legislative and other measures to ensure effective control over the export, import, transit, stocking and storage of small arms and light weapons. The Council urges Member States to consistently and responsibly use end-user certificates in their transfers of small arms and light weapons and calls on States to establish an effective national end-user certificate system and to study the feasibility as

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appropriate of developing an end-user certificate system at the regional and global levels, as well as an information exchange and verification mechanism.

"Arms-exporting countries are encouraged to exercise the highest degree of responsibility in small arms and light weapons transactions. All States have the responsibility of preventing the illegal diversion and re-export of small arms and light weapons. The Security Council welcomes the establishment of the United Nations Group of Governmental Experts with a mandate to examine the feasibility of developing an international instrument to enable States to identify and trace in a timely and reliable manner illicit small arms and light weapons. The Security Council encourages international cooperation in the consideration of the origin and transfers of small arms and light weapons.

"The Security Council stresses the importance of further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons, and calls upon States that have not already done so to establish, where applicable, a national register of arms brokers and, in the case of supply of arms to embargoed destinations, of intermediary firms, including transport agents. The Council urges States to impose appropriate penalties for all illicit brokering activities, as well as arms transfers that violate Security Council embargoes, and to take appropriate enforcement action.

"The Security Council stresses the need for cooperation and sharing of information among the Member States, among the different Sanctions Committees, and among the panels of experts and the monitoring mechanism on arms traffickers that have violated arms embargoes established by the Council. The Security Council welcomes the identification in cooperation with the States concerned of those arms traffickers who have violated the arms embargoes. The Security Council calls upon Member States to impose appropriate penalties on those arms traffickers who have violated its arms embargoes. In this connection, the Council calls on Member States to provide technical and financial support to Interpol's International Weapons and Explosives Tracking System (IWETS).

"The Security Council recognizes the important role that the United Nations Coordinating Action on Small Arms (CASA) mechanism can play in assisting Member States with the implementation of the Programme of Action. In this regard, the Council notes the proposal of the Secretariat to create a Small Arms Advisory Service.

"The Security Council recognizes the important role of arms embargoes as targeted measures and their contribution to an overall strategy for preventive diplomacy particularly with respect to illicit trade in small arms and light weapons. In this regard, the Council underlines the importance of pursuing more vigorously and expeditiously the application of arms embargoes in countries or regions threatened by, engaged in or emerging from armed conflict and to promote their effective implementation. The Council shall also consider taking measures to restrict the supply of ammunition to such regions.

"The Security Council recognizes that the primary responsibility for the implementation of sanctions measures rests with States. At the same time, the Council underlines the importance of establishing on a case-by-case basis

specific monitoring mechanisms or similar arrangements as appropriate to oversee the strict implementation of arms embargoes decided by the Council. The Council may wish to study ways to strengthen such mechanisms with a view towards better coordinating their work. The Security Council should consider innovative strategies to address the close interrelationship between the illicit trade in small arms and light weapons and, among others, drug trafficking, terrorism, organized crime and the illicit exploitation of natural and other resources. In this regard the Council calls on Member States to make available all relevant information concerning such activities.

"The Security Council reiterates its call for the effective implementation of arms embargoes imposed by the Council in its relevant resolutions, and encourages Member States to provide the Sanctions Committees with available information on alleged violations of arms embargoes. The Security Council also calls on Member States to give due consideration to the recommendations of the report of the Monitoring Group established pursuant to resolution 1390 (2002) (S/2002/1050 and Corr.1); the Report of the Monitoring Mechanism on Angola Sanctions (S/2000/1225 and Corr.1 and 2); the Report of the Panel of Experts on Sierra Leone Diamonds and Arms (S/2000/1195); and the Report of the Panel of Experts on Liberia (S/2001/1015 and S/2002/470).

"The Council also stresses the need to engage the relevant international organizations, non-governmental organizations, business and financial institutions and other actors at the international, regional and local levels to contribute to the implementation of arms embargoes.

"Arms embargoes help to reduce arms flows to the targeted regions and groups but do not address weapons already existing in conflict areas. The Security Council therefore reiterates the importance of carrying out Disarmament, Demobilization and Reintegration Programmes as comprehensively and effectively as possible in post-conflict situations under its consideration.

"The Security Council requests the Secretary-General to report, no later than December 2003, on the implementation of all the recommendations contained in his report."